

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 3389, AS REPORTED**  
**OFFERED BY MR. GILCHREST**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Sea Grant  
3 College Program Act Amendments of 2002”.

**4 SEC. 2. AMENDMENTS TO FINDINGS.**

5 Section 202(a)(6) of the National Sea Grant College  
6 Program Act (33 U.S.C. 1121(a)(6)) is amended by strik-  
7 ing the period at the end and inserting “, including strong  
8 collaborations between Administration scientists and sci-  
9 entists at academic institutions.”.

**10 SEC. 3. REQUIREMENTS APPLICABLE TO NATIONAL SEA**  
**11 GRANT COLLEGE PROGRAM.**

12 (a) QUADRENNIAL STRATEGIC PLAN.—Section 204  
13 (c)(1) of the National Sea Grant College Program Act (33  
14 U.S.C. 1123 (c)(1)) is amended to read as follows:

15 “(1) The Secretary, in consultation with the  
16 panel, sea grant colleges, and sea grant institutes,  
17 shall develop at least every 4 years a strategic plan  
18 that establishes priorities for the national sea grant  
19 college program, provides an appropriately balanced



1 response to local, regional, and national needs, and  
2 is reflective of integration with the relevant portions  
3 of the strategic plans of the Department of Com-  
4 merce and of the Administration.”.

5 (b) RANKING OF PROGRAMS.—Section 204(d)(3)(A)  
6 of the National Sea Grant College Program Act (33  
7 U.S.C. 1123(d)(3)(A)) is amended by inserting “and com-  
8 petitively rank” after “evaluate”.

9 (c) FUNCTIONS OF DIRECTOR.—Section  
10 204(d)(3)(B) of the National Sea Grant College Program  
11 Act (33 U.S.C. 1123(d)(3)(B)) is amended by striking  
12 “and” after the semicolon at the end of clause (ii) and  
13 by adding at the end the following:

14 “(iv) encourage and promote coordi-  
15 nation and cooperation between the re-  
16 search, education, and outreach programs  
17 of the Administration and those of aca-  
18 demic institutions; and”.

19 **SEC. 4. COST SHARE.**

20 Section 205(a) of the National Sea Grant College  
21 Program Act (33 U.S.C. 1124(a)) is amended by striking  
22 “section 204(d)(6)” and inserting “section 204(c)(4)(F)”.

23 **SEC. 5. FELLOWSHIPS.**

24 (a) ACCESS.—Section 208(a) of the National Sea  
25 Grant College Program Act (33 U.S.C. 1127(a)) is



1 amended by adding at the end the following: “The Sec-  
2 retary shall strive to ensure equal access for minority and  
3 economically disadvantaged students to the program car-  
4 ried out under this subsection.”.

5 (b) POSTDOCTORAL FELLOWS.—Section 208(c) of  
6 the National Sea Grant College Program Act (33 U.S.C.  
7 1127(c)) is repealed.

8 **SEC. 6. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW**  
9 **PANEL.**

10 Section 209(c)(2) of the National Sea Grant College  
11 Program Act (33 U.S.C. 1128(c)(2)) is amended by strik-  
12 ing the first sentence and inserting the following: “The  
13 term of office of a voting member of the panel shall be  
14 3 years for a member appointed before the date of enact-  
15 ment of the National Sea Grant College Program Act  
16 Amendments of 2002, and 4 years for a member ap-  
17 pointed or reappointed after the date of enactment of the  
18 National Sea Grant College Program Act Amendments of  
19 2002. The Director may extend the term of office of a  
20 voting member of the panel appointed before the date of  
21 enactment of the National Sea Grant College Program Act  
22 Amendments of 2002 by up to 1 year.”.



1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 Subsections (a), (b), and (c) of section 212 of the  
3 National Sea Grant College Program Act (33 U.S.C.  
4 1131) are amended to read as follows:

5 “(a) AUTHORIZATION.—

6 “(1) IN GENERAL.—There is authorized to be  
7 appropriated to the Secretary to carry out this  
8 title—

9 “(A) \$60,000,000 for fiscal year 2003;

10 “(B) \$75,000,000 for fiscal year 2004;

11 “(C) \$77,500,000 for fiscal year 2005;

12 “(D) \$80,000,000 for fiscal year 2006;

13 “(E) \$82,500,000 for fiscal year 2007; and

14 “(F) \$85,000,000 for fiscal year 2008.

15 “(2) PRIORITY ACTIVITIES.—In addition to the  
16 amount authorized under paragraph (1), there is au-  
17 thorized to be appropriated for each of fiscal years  
18 2003 through 2008—

19 “(A) \$5,000,000 for competitive grants for  
20 university research on the biology and control  
21 of zebra mussels and other important aquatic  
22 nonnative species;

23 “(B) \$5,000,000 for competitive grants for  
24 university research on oyster diseases, oyster  
25 restoration, and oyster-related human health  
26 risks;



1           “(C) \$5,000,000 for competitive grants for  
2           university research on the biology, prevention,  
3           and forecasting of harmful algal blooms, includ-  
4           ing *Pfiesteria piscicida*; and

5           “(D) \$3,000,000 for competitive grants for  
6           fishery extension activities conducted by sea  
7           grant colleges or sea grant institutes.

8           “(b) PROGRAM ELEMENTS.—

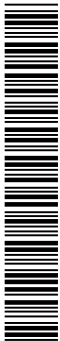
9           “(1) LIMITATION.—No more than 5 percent of  
10          the lesser of—

11           “(A) the amount authorized to be appro-  
12          priated; or

13           “(B) the amount appropriated,  
14          for each fiscal year under subsection (a)(1) may be  
15          used to fund the program element contained in sec-  
16          tion 204(b)(2).

17           “(2) USE FOR OTHER OFFICES OR PRO-  
18          GRAMS.—Sums appropriated under the authority of  
19          subsection (a)(2) shall not be available for adminis-  
20          tration of this title by the National Sea Grant Of-  
21          fice, for any other Administration or department  
22          program, or for any other administrative expenses.

23           “(c) DISTRIBUTION OF FUNDS.—In any fiscal year  
24          in which the appropriations made under subsection (a)(1)  
25          exceed the amounts appropriated for fiscal year 2002 for



1 the purposes described in such subsection, the Secretary  
2 shall distribute any excess amounts (except amounts used  
3 for the administration of the sea grant program) to—

4 “(1) sea grant programs that, based on the  
5 evaluation and competitive ranking required under  
6 section 204(d)(3)(A), are determined to be the best  
7 managed and to carry out the highest quality re-  
8 search, education, extension, and training activities;

9 “(2) national strategic investments authorized  
10 under section 204(b)(4);

11 “(3) a college, university, institution, associa-  
12 tion, or alliance for activities that are necessary for  
13 it to be designated as a sea grant college or sea  
14 grant institute; or

15 “(4) a sea grant college or sea grant institute  
16 designated after the date of enactment of the Na-  
17 tional Sea Grant College Program Act Amendments  
18 of 2002.”.

19 **SEC. 8. ANNUAL REPORT ON PROGRESS IN BECOMING DES-**  
20 **IGNATED AS SEA GRANT COLLEGES AND SEA**  
21 **GRANT INSTITUTES.**

22 Section 207 of the National Sea Grant College Pro-  
23 gram Act (16 U.S.C. 1126) is amended by adding at the  
24 end the following:

25 “(e) ANNUAL REPORT ON PROGRESS.—



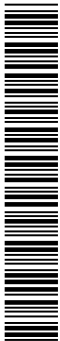
1           “(1) REPORT REQUIREMENT.—The Secretary  
2           shall report annually to the Committee on Resources  
3           and the Committee on Science of the House of Rep-  
4           resentatives, and to the Committee on Commerce,  
5           Science, and Transportation of the Senate, on ef-  
6           forts and progress made by colleges, universities, in-  
7           stitutions, associations, and alliances to become des-  
8           ignated under this section as sea grant colleges or  
9           sea grant institutes, including efforts and progress  
10          made by sea grant institutes in being designated as  
11          sea grant colleges.

12          “(2) TERRITORIES AND FREELY ASSOCIATED  
13          STATES.—The report shall include description of—

14               “(A) efforts made by colleges, universities,  
15               associations, institutions, and alliances in  
16               United States territories and freely associated  
17               States to develop the expertise necessary to be  
18               designated as a sea grant institute or sea grant  
19               college;

20               “(B) the administrative, technical, and fi-  
21               nancial assistance provided by the Secretary to  
22               those entities seeking to be designated; and

23               “(C) the additional actions or activities  
24               necessary for those entities to meet the quali-



1           fications for such designation under subsection  
2           (a)(1).”.

3   **SEC. 9. COORDINATION.**

4           Not later than February 15 of each year, the Under  
5   Secretary of Commerce for Oceans and Atmosphere and  
6   the Director of the National Science Foundation shall  
7   jointly submit to the Committees on Resources and  
8   Science of the House of Representatives and the Com-  
9   mittee on Commerce, Science, and Transportation of the  
10   Senate a report on how the oceans and coastal research  
11   activities of the National Oceanic and Atmospheric Ad-  
12   ministration, including the Coastal Ocean Program and  
13   the National Sea Grant College Program, and of the Na-  
14   tional Science Foundation will be coordinated during the  
15   fiscal year following the fiscal year in which the report  
16   is submitted. The report shall describe in detail any over-  
17   lapping ocean and coastal research interests between the  
18   agencies and specify how such research interests will be  
19   pursued by the programs in a complementary manner.

20   **SEC. 10. COASTAL OCEAN PROGRAM.**

21           Section 201(c) of Public Law 102–567 is amended  
22   by—

23           (1) striking “Of the sums authorized under  
24           subsection (b)(1), \$17,352,000 for each of the fiscal  
25           years 1992 and 1993 are authorized to be appro-





1        priated” and inserting “There are authorized to be  
2        appropriated to the Secretary of Commerce  
3        \$35,000,000 for each of the fiscal years 2003 to  
4        2008”; and  
5        (2) striking “to promote development of ocean  
6        technology,”.

